

Honorable Richard A. Jones

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF SEATTLE and CITY OF
PORTLAND,

Plaintiffs,

vs.

DONALD J. TRUMP *et al.*,

Defendants.

Case No. 1:17-cv-00497-RAJ

**PARTIES' JOINT REQUEST TO STAY
PROCEEDINGS**

1 In its order of October 19, 2017, denying the Defendants' motion to dismiss Plaintiffs'
2 complaint in this case, the Court directed the parties to submit briefing on whether this litigation
3 should be stayed pending resolution of *County of Santa Clara v. Trump, et al.*, No. 3:17-cv-
4 00574-WHO (N.D. Cal.).

5 The parties have conferred on that question, and agree that a stay would be appropriate.
6 The issues in the *Santa Clara* litigation are closely related to those in this case. The Defendants'
7 appeal of the district court's award of preliminary relief and denial of Defendants' motion for
8 reconsideration in that litigation is now pending in the U.S. Court of Appeals for the Ninth
9 Circuit (as case No. 17-16887), and the resolution of that appeal is likely to have a significant
10 bearing on the proper resolution of this case, such that further action by the parties or the Court
11 in this litigation should await the final disposition of that appeal. Pursuant to an order of the
12 Ninth Circuit, the appellate briefing in the *Santa Clara* litigation is currently expected to be
13 completed by February 6, 2018.

14 Accordingly, the parties respectfully submit that the Court should stay proceedings in this
15 case until resolution of Defendants' pending appeal in *County of Santa Clara v. Trump, et al.*,
16 No. 3:17-cv-00574-WHO (N.D. Cal.).

Dated: October 30, 2017

PETER S. HOLMES
Seattle City Attorney

By: /s/ Carlton W. M. Seu
Peter S. Holmes, WSBA #15787
Seattle City Attorney
Gregory C. Narver, WSBA #18127
Assistant City Attorney
Carlton W.M. Seu, WSBA #26830
Assistant City Attorney
Michael K. Ryan, WSBA #32091
Assistant City Attorney
Gary T. Smith, WSBA #29718
Assistant City Attorney
SEATTLE CITY ATTORNEY'S OFFICE
701 Fifth Avenue, Suite 2050
Seattle, WA 98104
Phone: (206) 684-8207
Fax: (206) 684-8284

Attorneys for the City of Seattle, Washington

Tracy Reeve, OSB # 891123 (admitted *pro hac vice*)
Portland City Attorney
Denis Vannier, OSB # 044406 (admitted *pro hac vice*)
Senior Deputy City Attorney
PORTLAND CITY ATTORNEY'S OFFICE
1221 SW Fourth Avenue, Suite 430
Portland, OR 97240
Phone: (503) 823-4047
Fax: (503) 823-3089

Kymerly Evanson, WSBA #39973
PACIFICA LAW GROUP LLC
1191 Second Avenue, Suite 2000
Seattle, WA 98101
Phone: (206) 245-1700
Fax: (206) 245-1725

Attorneys for the City of Portland, Oregon

1 Andrew J. Pincus (admitted *pro hac vice*)
2 Charles A. Rothfeld (admitted *pro hac vice*)
3 Ori Lev (admitted *pro hac vice*)
4 Travis Crum (admitted *pro hac vice*)
5 John T. Lewis (admitted *pro hac vice*)
6 Joshua M. Silverstein (admitted *pro hac vice*)
7 MAYER BROWN LLP
8 1999 K Street, NW
9 Washington, D.C. 20006
10 Phone: (202) 263-3000
11 Fax: (202) 263-3300

12 *Attorneys for Plaintiffs*

13 CHAD A. READLER
14 Acting Assistant Attorney General

15 ANNETTE L. HAYES
16 United States Attorney

17 JOHN R. TYLER
18 Assistant Director

19 /s/ W. Scott Simpson
20 W. SCOTT SIMPSON
21 Senior Trial Counsel

22 Attorneys, Department of Justice
23 Civil Division, Room 7210
24 Federal Programs Branch
25 20 Massachusetts Avenue, NW
26 Washington, D.C. 20530
27 Telephone: (202) 514-3495
28 Facsimile: (202) 616-8470
E-mail: scott.simpson@usdoj.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been filed using the CM/ECF system this 30th day of October, 2017, which sends electronic notice to counsel of record who are registered with the CM/ECF system.

/s/ Carlton W. M. Seu
Carlton W. M. Seu